

## HOUSE BILL No. 1260

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 34-58-2-1.

**Synopsis:** Frivolous litigation. Provides that an offender who has filed at least three civil actions that have been dismissed as frivolous may not file a new action in forma pauperis unless the offender is in immediate danger of serious bodily injury. (The introduced version of this bill was prepared by the sentencing policy study committee.)

**Effective:** July 1, 2009.

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### Foley, Lawson L, Smith V, Borders

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January 13, 2009, read first time and referred to Committee on Interstate and International Cooperation.

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Introduced

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

## HOUSE BILL No. 1260

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A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 34-58-2-1 IS AMENDED TO READ AS  
2       FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1. If an offender has  
3       filed at least three (3) civil actions in which a state court has dismissed  
4       the action or a claim under IC 34-58-1-2, the offender may not file a  
5       new complaint or petition **in forma pauperis** unless a court determines  
6       that the offender is in immediate danger of serious bodily injury (as  
7       defined in IC 35-41-1-25).

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